

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CR-157-F-1

UNITED STATES OF AMERICA

vs.

GREGORY LAMONT AVERY,

Defendant.

FINAL ORDER OF FORFEITURE

Before the court is the Government's Motion for Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure. [DE 34].

On August 8, 2015, the court entered a Preliminary Order of Forfeiture against Defendant, authorizing the forfeiture of personal property to the United States, including a 2003 Denali Yukon XL, 4-door, white in color, VIN: 1GKFK66UX3J236398.¹ [DE 30]. In accordance with Rule G(4) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions, the Government published notice of this forfeiture, advising all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property. [DE 34-1]. Based on the record, no claims, contested or otherwise, have been filed for the above-described personal property.

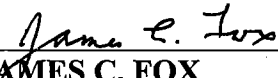
¹ The Preliminary Order of Forfeiture also authorized the forfeiture of \$9,980 in U.S. Currency and one Beretta 9mm semiautomatic pistol, SN: NU112228, and ammunition. The Government advises the Bureau of Alcohol, Tobacco, Firearms and Explosives administratively forfeited these assets. As such, the Government does not seek a final order of forfeiture as to these assets in the instant action.

Accordingly, it is ORDERED as follows:

- (1) The Government's motion [DE 34] is ALLOWED;
- (2) The above-stated property is forfeited to the United States;
- (3) The United States Marshal is directed to dispose of the property according to law;
- (4) Any and all forfeited funds shall be deposited by the United States Department of Justice into the Department of Justice's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e); and
- (5) The Clerk shall send copies of this Order to all counsel of record.

SO ORDERED.

This the 13th day of February, 2017.



JAMES C. FOX
Senior United States District Judge